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Attorneys for Defendants SIMPLY GREEN, INC, a California  
corporation; STEVEN LYNCH MUSSER and MAUREEN  
GILBERT

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JEAN RIKER,

Plaintiff,

v.

THE INN AT SCHOOLHOUSE CREEK;  
SIMPLY GREEN, INC.; PETER P. BLASKO;  
PETER P. BLASKO TRUST; DOE TRUSTS 1  
through 5; DOES TRUSTS 6 through 10;  
STEVEN LYNCH MUSSER; JOANNE  
A.TYBINK; STEVEN MUSSER; MAUREEN  
GILBERT; and DOES 11 THROUGH 50,  
Inclusive,

Defendants.

CASE NO. CV 10 1056 EMC

**DEFENDANTS' UNOPPOSED MOTION  
FOR AN ORDER ALLOWING THE  
CONFIDENTIAL SETTLEMENT TO BE  
FILED UNDER SEAL; ~~PROPOSED~~  
ORDER**

Complaint filed: March 12, 2010  
Trial date: none set

The parties are pleased to report that they reached a complete settlement in all respects, including Plaintiff's claims for injunctive relief, statutory damages, and reasonable statutory attorney fees, litigation expenses and costs. The parties have now memorialized the settlement through a Confidential Settlement Agreement. The Settlement Agreement contemplates that the Court will retain jurisdiction of the case under General Order 56 for enforcement and interpretation. The parties request that the Court permit the Confidential Settlement Agreement be filed with the Court under seal.

**[PROPOSED] ORDER ALLOWING PARTIES TO FILE CONFIDENTIAL  
SETTLEMENT AGREEMENT UNDER SEAL**

The parties have reached a complete settlement in all respects, including Plaintiff's

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claims for injunctive relief, statutory damages, and reasonable statutory attorney fees, litigation expenses and costs. The parties have now memorialized the settlement through a Confidential Settlement Agreement. The parties request that the Court permit the Confidential Settlement Agreement be filed with the Court under seal.

DATED: August 19, 2010

JEFFER MANGELS BUTLER & MITCHELL LLP  
MARTIN H. ORLICK  
MATTHEW S. KENEFICK

By: /s/ Martin H. Orlick

MARTIN H. ORLICK  
Attorneys for Defendants SIMPLY GREEN, INC, a  
California corporation; STEVEN LYNCH MUSSER  
and MAUREEN GILBERT

**APPROVED AS TO FORM AND CONTENT:**

DATED: August 19, 2010

THIMESCH LAW OFFICES  
TIMOTHY S. THIMESCH  
GENE FARBER

By: /s/ Signature Authorized

Attorneys for Plaintiff JEAN RIKER

Pursuant to Federal Rules of Civil Procedure, Rule 26 (c), and by agreement of counsel hereto,

**IT IS HEREBY ORDERED AND ADJUDGED AS FOLLOWS:**

1. Plaintiff Jean Riker filed this action on March 12, 2010, by Agreement of the parties, this Action has been settled in all respects. The parties have agreed to request the Court retain jurisdiction to enforce the settlement under General Order 56.

2. This litigation concerns disabled access claims . The Settlement Agreement is confidential and the parties have not previously disclosed its terms to the public.

3. Plaintiff does not oppose this motion to filing the Settlement Agreement under seal. On August 1, 2010, plaintiff submitted Plaintiff's Request for Dismissal With Prejudice and with Retained Jurisdiction to Interpret and Enforce Settlement Agreement. [Proposed Order].

1 (Dkt 18].

2 4. On August 9, 2010, the Court entered its Order Directing Parties to Submit a  
3 Copy of Settlement Agreement by August 20, 2010.

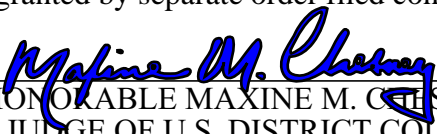
4 5. The parties request the Court maintain continuing jurisdiction to Interpret and  
5 Enforce the Settlement Agreement.

6 **ORDER**

7 1. The motion to file under seal is hereby DENIED as moot; by its Order of August 9, 2010, the  
8 Court required the parties to submit the settlement but did not require that it be filed.

9 2. The request for continuing jurisdiction has been granted by separate order filed concurrently  
10 herewith.

11 DATED: August 27, 2010

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HONORABLE MAXINE M. CHESNEY  
JUDGE OF U.S. DISTRICT COURT